UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

| AMERICAN CASUALTY COMPANY OF |) | |
|--|---|-----------------|
| READING, PA, a Pennsylvania Corporation, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | No. 1:04-cv-309 |
| |) | Edgar |
| GINA SELF, |) | |
| |) | |
| Defendant. |) | |

ORDER

In accordance with the accompanying memorandum, American Casualty Company of Reading, PA's motion for summary judgment [Doc. No. 13-1] is **DENIED**. Because the Court concludes that American Casualty has a duty to defend Self in all six of the underlying actions and because Self has been dismissed from five of those actions, the only issue remaining in this case is whether American Casualty has a duty to indemnify Self for any liability she incurs in the lone remaining underlying lawsuit. The Court cannot now decide this remaining issue because that action is still pending in Tennessee state court. Therefore, still pending in this case is whether American Casualty has a duty to indemnify Self for any liability she incurs in the remaining lawsuit.

SO ORDERED.

ENTER this 1st day of August, 2005.

/s/ R. Allan Edgar
R. ALLAN EDGAR
CHIEF UNITED STATES DISTRICT JUDGE